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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,596	06/12/2000	Richard Humpleman	SAM1.0067	7063

7590

02/08/2005

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EXAMINER

NGUYEN, NHON D

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/592,596	Applicant(s) HUMPLEMAN ET AL.	
	Examiner Nhon (Gary) D Nguyen	Art Unit 2179	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This communication is responsive to amendment, filed 12/20/2004.
2. Claims 1-27 are pending in this application. Claims 1, 11 and 21 are independent claims.

In the amendment, claims 1, 11 and 21 are amended, no claim is cancel and no claim is added.

This action is made non-final.

#### *Double Patenting*

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. Claims 1, 6, 7, 9, 10, 11, 16, 17, 19, 20, 21, 23, 24, 26 and 27 provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 6, and 11-13 of copending Application No. 09/592598 in view of Saito et al ("Saito", US 6,523,696).

This is a provisional obviousness-type double patenting rejection.

As per claim 1, 11 and 21, claim 1 of 09/592598 claims the same subject matter as claims 1, 11 and 21 of 09/592596 except that first devices, capable of displaying a user interface, are

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connected to a first network and second devices are connected to a second network. Claim 1 of 09/592598 only discloses all the devices are connected to one single network. However, Saito teaches obtaining information from said first devices currently connected to the first network (*1<sup>st</sup>* and *2<sup>nd</sup>* Home Network 203 of fig. 7), and obtaining information from the interface device (*PC 210* of fig. 7) about the second devices connected to the second network (*Home Automation Network 212* of fig. 7; col. 21, lines 50-60). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teaching from Saito of having first display-capable devices and second devices connected to the first and second network, respectively, in claim 1 of 09/592598 since it would have allowed devices to be controlled over different networks.

As per claims 6, 16 and 23, claim 6 of 09/592598 claims the same subject matter as claims 6, 16 and 23 of 09/592596.

As per claims 7, 17 and 24, claim 12 of 09/592598 claims the same subject matter as claims 7, 17 and 24 of 09/592596.

As per claims 9, 19 and 26, claim 11 of 09/592598 claims the same subject matter as claims 9, 19 and 26 of 09/592596.

As per claims 10, 20 and 27, claim 13 of 09/592598 claims the same subject matter as claims 10, 20 and 27 of 09/592596.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Saito et al (“Saito”, US 6,523,696).

As per independent claim 1, Saito teaches a computer implemented method and corresponding system for providing user interfaces in a first network including first devices interconnected via a communication medium and at least one interface device connecting said first network to at least a second network having interconnected second devices, the user interfaces for controlling the devices that are currently connected to the first network and devices that are currently connected to the second network, comprising the steps/means:

obtaining information from said first devices currently connected to the first network (*1<sup>st</sup>* and *2<sup>nd</sup>* Home Network 203 of fig. 7), said information including graphical and/or textual information (col. 21, lines 5-10);

obtaining information from the interface device (*PC 210* of fig. 7) about the second devices connected to the second network, said information including graphical and/or textual information; and (*Home Automation Network 212* of fig. 7; col. 21, lines 50-60);

generating a user interface description in one or more of said first devices based at least on the obtained information, the user interface description in each first device including: at least one graphical and/or textual reference of said first devices that are currently connected to the first network, and at least one graphical and/or textual reference of said second devices that are currently connected to the second network (fig. 14, col. 23, lines 12-23).

displaying a user interface on a device connected to the first network capable of displaying a user interfaces (fig. 14, col. 23, lines 12-23), by:

using each reference in a user interface description to access the associated information in each corresponding device; generating the user interface including device data corresponding to each device using the accessed information in each device; and displaying the user interface on said device capable of displaying a user interface (fig. 14, col. 23, lines 12-23).

As per claim 2, which is dependent on claim 1, Saito teaches said interface device includes information about the second devices (col. 21, lines 50-60).

As per claim 3, which is dependent on claim 1, Saito teaches the first network comprises a 1394 bus (*1<sup>st</sup> and 2<sup>nd</sup> Home Network* of fig. 7), and the second network comprises a non-1394 bus (*Home Automation Network* of fig. 7).

As per claim 4, which is dependent on claim 3, Saito teaches the interface device includes an address extension table for the second devices, and wherein step of obtaining information

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from the interface device further includes the steps of using the address extension table to access said second devices (col. 24, lines 41-67 through col. 25, lines 1-3).

As per claim 5, which is dependent on claim 1, it is inherent in Saito's system that the PC device 210 (fig. 17B) would include a bridge device acted as an interface between the 2<sup>nd</sup> Home Network and Home Automation Network.

As per claim 6, which is dependent on claim 1, Saito teaches displaying one or more user interfaces each based on one of said one or more user interface descriptions, on one or more devices connected to the first network capable of displaying a user interface, for user control of said first and second devices (fig. 14, col. 23, lines 12-23).

As per claim 7, which is dependent on claim 6, Saito teaches the step of displaying each user interface further includes the steps of:

using each reference in the corresponding user interface description to access the associated information in each device; generating the user interface including device data corresponding to each device using the accessed information in each device; and displaying the user interface on said device capable of displaying a user interface (fig. 14, col. 23, lines 12-23).

As per claim 8, which is dependent on claim 1, Saito teaches the step of generating a user interface description further comprises the steps of: associating a hyper-text link with the device

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information of one or more of said first and second devices (col. 33, lines 57-67 through col. 34, lines 1-8).

As per claims 9 and 10, which are dependent on claims 1 and 9 respectively, Saito teaches the information in each device includes a user control interface description for user interaction with the device and the step of generating a user interface description further includes the steps of generating each user interface description such that each reference in that user interface description is to at least the user control interface description in each corresponding device (fig. 14, col. 23, lines 12-23 and col. 25, lines 35-49).

As per independent claims 11 and 21, they are similar in scope to claim 1; therefore, they should be rejected under similar rationale.

As per claim 12, which is dependent on claim 11, it is a similar scope to claim 2; therefore, it should be rejected under similar rationale.

As per claims 13 and 22, which are dependent on claims 11 and 21 respectively, they are similar in scope to claim 3; therefore, they should be rejected under similar rationale.

As per claim 14, which is dependent on claim 13, it is a similar scope to claim 4; therefore, it should be rejected under similar rationale.



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As per claim 15, which is dependent on claim 11, it is a similar scope to claim 5; therefore, it should be rejected under similar rationale.

As per claims 16 and 23, which are dependent on claims 11 and 21 respectively, they are similar in scope to claim 6; therefore, they should be rejected under similar rationale.

As per claims 17 and 24, which are dependent on claims 16 and 23 respectively, they are similar in scope to claim 7; therefore, they should be rejected under similar rationale.

As per claims 18 and 25, which are dependent on claims 11 and 21, they are similar in scope to claim 8; therefore, they should be rejected under similar rationale.

As per claims 19 and 26, which are dependent on claims 11 and 21 respectively, they are similar in scope to claim 9; therefore, they should be rejected under similar rationale.

As per claims 20 and 27, which are dependent on claims 19 and 26 respectively, they are similar in scope to claim 10; therefore, they should be rejected under similar rationale.

### ***Response to Arguments***

7. Applicant's arguments filed 09/09/2003 have been fully considered but they are not persuasive.

Applicant argued the following:

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(a) The PC 210 in the second home network, is not an “interface device” as claimed herein.

(b) The user interface description is created as an intermediate step between obtaining device information and generating user interfaces for display. Saito does not disclose such limitations, and the Patent Office has not shown where such a user interface description is taught by Saito.

(c) Saito does not disclose an extension table include IP addresses for the second devices in the second network.

(d) Saito does not disclose that the interface device is a bridge device.

(e) Though in col. 23, lines 12-23, Saito mentions that a user can access a device using the screen on Fig. 14, there is no teaching that such a screen is generated using links in a user interface description, to access device information of devices connected to the network, in order to generate an actual user interface for display and user interaction.

(f) Saito does not describe that the user interface description includes hyper-text links to information of the devices currently connected to the network. Saito does not disclose that the hyper-text links in the user interface description are used to access information associated with the devices currently connected to the network in order to generate a user interface for user interaction.

(g) Saito does not disclose that a device connected to the network has a specific user control interface therein, which is then accessed via a reference in a user interface description to generate a user interface that displays the specific user control interface of that device for user interaction.

The Examiner disagrees for the following reasons:

(a) According to the claim language, the interface device is used to connect the first network to the second network. PC 210 connects the first 1394 BUS 203 network devices 208, 209 and 211 to the second HOME AUTOMATION network devices 213 and 214 and allows the terminal devices connected to the 1394 BUS network (first network) to control the devices connected to the HOME AUTOMATION network 212 (second network) (col. 21, lines 40-50). Therefore, PC 210 is the interface device.

(b) In order to generate the graphical user interface in one of the terminal devices connected to the first 1394 BUS network as shown in fig. 14, the terminal devices connected to the 1394 bus have to obtain user interface description of the home automation network devices 212 stored in the configuration ROM (col. 21, lines 40-52 and col. 22, lines 15-26).

(c) Since the assigned port addresses of the air conditioner 253 (fig. 16C) and the microwave oven 254 are registered information contents for which the PC 210 is the proxy, these port addresses have to be stored in form of a table of addresses.

(d) A bridge device is used to connect between two different networks. PC 210 connects the first 1394 BUS 203 network devices 208, 209 and 211 to the second HOME AUTOMATION network devices 213 and 214 and allows the terminal devices connected to the 1394 BUS network (first network) to control the devices connected to the HOME AUTOMATION network 212 (second network) (col. 21, lines 40-50). Therefore, PC 210 is also considered a bridge device.

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(e) In order to generate the graphical user interface in one of the terminal devices connected to the first 1394 BUS network as shown in fig. 14, the terminal devices connected to the 1394 bus have to obtain user interface description of the home automation network devices 212 stored in the configuration ROM (col. 21, lines 40-52 and col. 22, lines 15-26).

(f) A home page that can be reached through a hyper link from an icon is generated by the user interface description depending on the devices connected to the network (col. 33, line 57 – col. 34, line 8); therefore, Saito does teach the user interface description includes hyper-text links to information of the devices currently connected to the network. Saito does not disclose that the hyper-text links in the user interface description are used to access information associated with the devices currently connected to the network in order to generate a user interface for user interaction.

(g) Every device connected to the network of fig. 7 has to have a specific user control interface so that it can be generated as icon in the fig. 14 (col. 23, lines 12-23 and col. 25, lines 34-59) and to be accessed and controlled by the display device through a reference in a user interface description as explained above in (c).

### ***Inquiries***

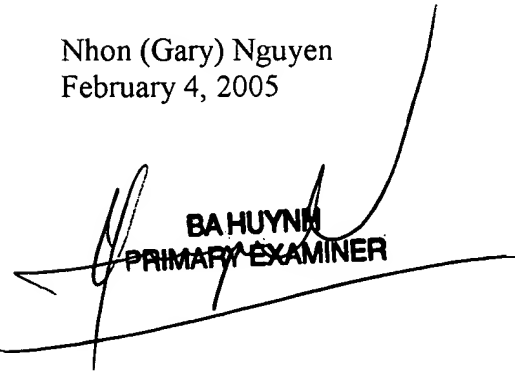
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is 703-305-8318. The examiner can normally be reached on Monday - Friday from 8 AM to 5:30 PM with every other Monday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen  
February 4, 2005

  
**BA HUYNH**  
**PRIMARY EXAMINER**